

Becky Flowers

From: Adrian Johnson [ajohnson@parnellcrum.com]
Sent: Friday, November 17, 2006 9:00 AM
To: Craig Allred
Cc: Terry Small
Subject: Re: Georgia Southwestern Railroad, Inc. v. Mitchell

Craig,

I apologize for my failure to include the sale agreement in the documents submitted earlier this week. I have been out of the office all week at a conference in Orlando. I am drafting my client's responses to your discovery requests today and will forward a copy of the sale agreement. As I mentioned last week, I do not have an executed version of the sale agreement as my client has submitted the document to Norfolk Southern for execution.

I am very dissatisfied that you believe I am not being forthright in submitting all of the documentation my client possesses regarding the valuation of the rail line. My client has been very open with me that there is very little that relates to the valuation of the White Oak spur. I intend to object to any discovery requests that do not involve the valuation of the White Oak line as your requests for information beyond that scope are vague, irrelevant and are not calculated to lead to discoverable information. Information related to the every facet of the railroad's operation does not necessarily involve valuation of the line, the determination of which being the sole purpose of the extension of the discovery deadline.

If you believe that filing motion to compel will advance your cause and somehow create documents that do not exist, then please do so. I have no reservation in having my client appear before Judge Boyd to testify that GSWR possesses no other documents that relate to valuation of the White Oak line.

I regret that we have a disagreement regarding discovery and I will continue to make every effort to comply with your requests and with Judge Boyd's order.

Sincerely,
Adrian D. Johnson

----- Original Message -----

From: "Craig Allred" <Callred@allredpclaw.com>
To: "Adrian Johnson" <ajohnson@parnellcrum.com>
Cc: "David Allred" <DAllred@allredpclaw.com>
Sent: Thursday, November 16, 2006 3:34 PM
Subject: Georgia Southwestern Railroad, Inc. v. Mitchell

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